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PATENT

DOCKET NO.: ISIS-2508

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Phillip D. Cook

Anticipated Classification of

this application:

Class: 536 Subclass: 023

For:

PNA-DNA-PNA-CHIMERIC MACROMOLECULES

Prior Application

Examiner: Christopher S.F. Low

Art Unit: 1804

"Express Mail" Label No. EM405755035US Date of Deposit June 17, 1997 (5-4)

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed Name: Bob Inforzato

BOX PATENT APPLICATION

Assistant Commissioner for Patents Washington, D.C. 20231

37 C.F.R. §1.60 TRANSMITTAL LETTER

Sir:

This is a request for filing a

( ) Continuation (XX) Divisional application under 37 CFR 1.60, of pending prior application Serial No. 08/158,352, filed on November 24, 1993 of Phillip D. Cook entitled PNA-DNA-PNA-CHIMERIC MACROMOLECULES.

1. (XX) Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

I hereby verify that the attached papers comprise a true copy of the prior application Serial No. 08/158,352, as originally filed on November 24, 1993, and that no amendments referred to in the Oath or Declaration filed to complete the prior application introduced new matter therein.

The filing fee is calculated below on the basis of claims as filed in the prior application, less any claims cancelled or including any claims added by amendment listed below:

			SMALL ENTITY			OTHER THAN SMALL ENTITY	
For:	No. Filed	No. Extra	Rate	Fee	<u>OR</u>	Rate	Fee
BASIC FEE				\$385	<u>OR</u>		\$770
Total Claims	23- 20 =	3	x \$11=	\$33	<u>OR</u>	x \$22=	\$
Indep. Claims	3- 3 =	0	x \$40=	\$0	<u>OR</u>	x \$80=	\$0
First Presentation Multiple Dependent Claims		+\$130=	\$0	<u>OR</u>	+\$260=	\$0	
			TOTAL	\$418			\$

- 2. ( ) Verified Statement Claiming Small Entity Status is enclosed herewith.
- 3. ( ) Verified Statement Claiming Small Entity Status was filed in the parent case.
- 4. ( ) Please charge my Deposit Account No. 23-3050 in the amount of \$\_\_\_\_\_. This sheet is attached in triplicate.
- 5. (XX) A check in the amount of \$\frac{418.00}{218.00}\$ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- 6. (XX) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in triplicate.
  - (XX) Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.
  - (XX) Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

- 7. (XX) The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in triplicate.
  - (XX) Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
  - ( ) The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
  - (XX) Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.
- 8. ( ) Cancel in this application original claims
  \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- 9. (XX) Amend the specification by inserting before the first line the sentence: This is a ( ) continuation, (XX) division, of application Serial No. 08/158,352, filed November 24, 1993. --
- 10. ( ) Formal drawings/photographs will be submitted when requested by the United States Patent and Trademark Office.
- 11. ( ) Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by 37 CFR 1.138 and before payment of the base issue fee.)
- 12. ( ) Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_ in \_\_\_\_ (country) is claimed under 35 U.S.C. Section 119.
  - ( ) The certified copy has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- 13. (XX) The prior application is assigned of record to <u>ISIS</u>

  <u>Pharmaceuticals Inc. 2280 Faraday Avenue, Carlsbad, CA</u>

  92008.
- 14. ( ) Copy of the Assignment(s) of the invention and separate Form(s) 1595 for each Assignment will be submitted upon receipt of the Official Filing Receipt.

- 15. (XX) The power of attorney in the prior application is to John W. Caldwell and Joseph Lucci, Registration No. 28,937 and 33,307, ADDRESS: WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP One Liberty Place 46th Floor Philadelphia, PA 19103
  - (XX) The power appears in the original papers in the prior application.
  - ( ) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- 16. (XX) As appointment of associate attorneys and/or agents with full power to prosecute this application and to transact all business in the Patent Office connected therewith, please recognize the following:

Robert B. Washburn Richard E. Kurtz John J. Mackiewicz Norman L. Norris Albert W. Preston, Jr. Dale M. Heist Philip S. Johnson John W. Caldwell Gary H. Levin Steven J. Rocci Dianne B. Elderkin Francis A. Paintin John P. Donohue, Jr. Henrik D. Parker Suzanne E. Miller Lynn B. Morreale Michael P. Dunnam Michael D. Stein Albert J. Marcellino David R. Bailey John L. Knoble Michele K. Herman Barbara L. Mullin Ken I. Yoshida Mark DeLuca	Registration	NO.	19,263 19,709 24,196 25,366 28,425 27,200 28,937 28,734 30,489 28,598 19,386 29,916 31,863 32,279 32,842 32,611 34,734 34,664 35,057 35,893 38,250 37,009 33,229
John L. Knoble	Registration	No.	32,387
	Registration Registration	No. No.	38,250
Steven B. Samuels	Registration	No.	37,711
Lynn A. Malinoski Lori Y. Beardell Doreen Yatko Trujillo Michael P. Straher Paul K. Legaard Kevin M. Flannery David A. Cherry	Registration Registration Registration Registration Registration Registration Registration	No. No. No. No.	38,788 34,293 35,719 38,325 38,534 35,871 35,099
David II. CHOILy			55,055

and

Anthony J. Rossi D. Jennings Meincke Michael L. Korniczky	Registration Registration Registration	No. No.	36,606 37,661
		No.	37,661
Edward D. Grieff	Registration	No.	38,898
Gail Ann Dalickas	Registration		
Herb Boswell Laurel Bernstein	Registration Registration		

17. ( ) A preliminary amendment is enclosed. Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

- 18. ( ) A Petition for Extension of Time has been filed in the parent application, Serial No. \_\_\_\_\_ filed \_\_\_\_. A copy of the Petition for Extension of Time is enclosed.
- 19. (XX) Enclosed is a Statement to Support Filing and Submission of DNA/Amino Acid Sequences in Accordance with 37 CFR §§ 1.821 through 1.825.
  - ) Enclosed is a Letter of Reference to Computer Readable Form.

Date: June\_17, 1997

Joseph Lucci

Registration No. 33,307

Registration No. 38,473

WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
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Andrew E. Granston